

1 BILL NO. S-86-04-06

2 SPECIAL ORDINANCE NO. S-

68-86

3 AN ORDINANCE approving Contract
4 85-W-5, Cathodic Protection System -
5 Maplecrest Road Elevated Tank, by
6 the City of Fort Wayne, Indiana, by
and through its Board of Public Works
and Safety and the Wallace & Tiernan
Division, Pennwalt Corporation.

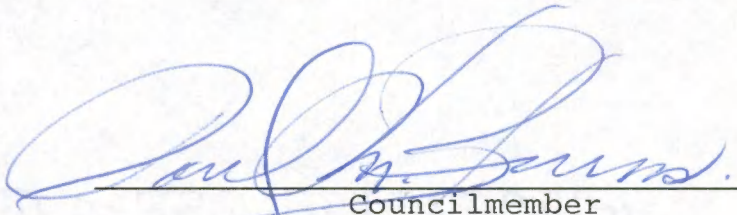
7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
8 THE CITY OF FORT WAYNE, INDIANA:

9 SECTION 1. That annexed Contract 85-W-5 - Cathodic
10 Protection System - Maplecrest Road Elevated Tank, between the City
11 of Fort Wayne, by and through its Board of Public Works and Safety,
12 and the Wallace & Tiernan Division, Pennwalt Corporation, for:

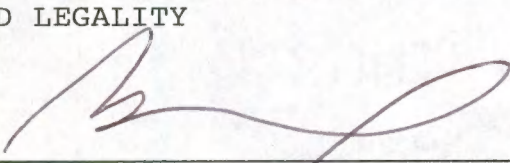
13 the restoring of painting system
14 and life of tank;

15 involving a total cost of Seven Thousand Six Hundred Forty-One
16 and No/100 Dollars (\$7,641.00), all as more particularly set forth
17 in said Contract, which is on file with the Office of the Board of
18 Public Works and Safety and is, by reference, incorporated herein,
19 made a part hereof, and is hereby in all things ratified, con-
20 firmed and approved. Two (2) copies of said Contract are on file
21 with the Office of the City Clerk and made available for public
22 inspection, according to law.

23 SECTION 2. That this Ordinance shall be in full force
24 and effect from and after its passage and any and all necessary
25 approval by the Mayor.

26
27 
28 Councilmember

29 APPROVED AS TO FORM
AND LEGALITY

30
31 
32 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Burns, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee City Title (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.

DATE: 4-8-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. 1-68-86 on the 22nd day of April, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of April, 1986, at the hour of 11:30 o'clock 7 .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of April, 1986, at the hour of 11:00 o'clock A.M. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Invitation For Bids/Award Of Contract*
(NON-FEDERALLY ASSISTED Construction)

Page 1 of 1

PROJECT: CATHODIC PROTECTION SYSTEM
MAPLECREST ROAD ELEVATED TANK

CONTRACT #: 85-W-5

CONTENTS

*Original
Bd's copy*

Check if Contained	Pages	
x	1	COVER SHEET
x	11 - 19	INSTRUCTION TO BIDDERS
x	S1	SCHEDULE
x	S2-3	SCHEDULE OF ITEMS
x	GP1 - GP7	GENERAL PROVISIONS
		SPECIAL CONDITIONS
x		PLANS AND SPECIFICATIONS
x		DRAWINGS
x	S4	NOTES 1 AND 2
	SS1-SS2	SUPPLEMENTARY SPECIFICATIONS
x	DTS 1-3	DETAILED TECHNICAL SPECIFICATIONS
x		CERTIFICATION OF BIDDER/VENDOR

ATTACHMENTS

x	NON-COLLUSION AFFIDAVIT
x	BIDDER'S BOND
x	PERFORMANCE BOND
x	STATE BOARD OF ACCOUNTS FORM 96A
x	CERTIFICATE IN LIEU OF FINANCIAL STATEMENT 96A
x	PREVAILING WAGE SCALE - STATE OF INDIANA
x	PAYMENT BOND
x	WARRANTY BOND
x	EQUIPMENT DATA SHEET

DISCOUNT FOR PROMPT PAYMENT (SEE GENERAL PROVISIONS CLAUSE)	10 CALENDAR DAYS <u>0</u> %	20 CALENDAR DAYS <u>0</u> %	30 CALENDAR DAYS <u>0</u> %	OTHER <u>0</u> %
ACKNOWLEDGEMENT OF AMENDMENTS	AMENDMENT NO.	DATE	AMENDMENT NO.	DATE
<u>NONE.</u>				

BID SUBMITTED

ACCEPTANCE OF BID/AWARD OF CONTRACT

WALLACE & TURNER DIV. PENN WALT CORP.
Contractor

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS AND SAFETY

By: Russell S. Tompkins

Attest: Margaret Smith

Its: _____

Offer _____

Date: 2/4/86

Bidder agrees to keep bid open for acceptance for 90 DAYS (90 days unless otherwise specified)

COMPLIANCE: [Signature]

[Signature]

[Signature]

CITY OF FORT WAYNE
MAYOR

AWARD DATE: 4-2-86

O.C. 2/85
B.O.W. NON-FED.

JAN 27 1986

SCHEDULE
Board of Public Works and Safety

The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the complete performance of the following project:

CONTRACT NO. 85-W-5

INSTALLATION OF CATHODIC PROTECTION SYSTEM FOR THE MAPLECREST ROAD ELEVATED TANK.

All work will be performed in accordance with: ~~CONTRACT~~ ~~RESOLUTION~~ # 85-W-5, the IFB, this contract and the applicable plans, specifications, and drawings for a TOTAL PRICE of \$ _____. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto).

The work shall be commenced within ten (10) days after The Board issues a written notice to proceed. All work shall be completed within 90 days after issuance of the notice to proceed. Those days which the contractor cannot work because of severely inclement weather shall not be counted.

☐ Liquidated Damages Provision. (This clause shall be applicable to this contract only if the box contains a checkmark or an "X".) It is hereby agreed by and between the City of Fort Wayne and Contractor that time is of the essence of this agreement and the contractor agrees that it will complete the project as herein defined on or before _____ days after issuance of the notice to proceed. The parties agree that it is a business and governmental necessity that the project be completed by this date, that it will be difficult or impossible to make an accurate determination of the damages that would be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of \$ _____ per day for each and every day after _____ days after issuance of the notice to proceed that the project remains uncompleted. The parties agree that the sum of \$ _____ per day is a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay the completion date. Therefore, the parties agree that delays in the completion date beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not necessarily limited to, the following: Acts of God, strikes, lockouts or industrial disturbances, acts of public enemies, restraining orders of any kind by the government of the United States of America or of the State of Indiana or any of their departments, agencies, or officials, or any civil or military authority, insurrections, riots, landslides, earthquakes, fires, incapacitating storms, floods, and explosions.

CITY OF FORT WAYNE, INDIANA
IMPROVEMENT TO FORT WAYNE WATER UTILITY
SCHEDULE OF UNIT PRICES

CONTRACT NO. 85-W-5
INSTALLATION OF CATHODIC PROTECTION FOR THE MAPLECREST ROAD ELEVATED TANK

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>EXTENSION</u>
A.	ONE (1)	CATHODIC PROTECTION SYSTEM		
			7641. ⁰⁰	7641. ⁰⁰
		TOTAL	7641. ⁰⁰	\$ 7641. ⁰⁰

W^hT Quote # 05-4186-E-2050

In submitting this bid, it is understood that the right is reserved by the Owner to reject any and all bids and to waive any defect in any bid.

IN WITNESS WHEREOF, the bidder (a firm) by its owner(s) named below, hereunto set hand(s) and seal this 4th day of FEBRUARY, 1986.

FIRM NAME WALLACE & TIERNAN DIV. PENN WALT CORP

BY: Russell S. Tompkins
RUSSELL S. TOMPKINS
SUPERVISOR, SALES SERVICE

IN TESTIMONY WHEREOF, the bidder (a corporation) has caused this proposal to be signed by its ^{MANAGER, SALES SERVICE} President and ^{ASST} Secretary and affixed its corporate seal this _____ day of FEBRUARY 3, 1986.

WALLACE & TIERNAN DIV. PENN WALT CORP.
NAME OF CORPORATION

BY: R. J. Fitzgerald
PRESIDENT R. J. FITZGERALD ✓ R.T.
MANAGER, SALES SERVICE

ATTEST:

Carolyn L. Mueller

NOTE 1:

Use this form, if Cashier's or Certified Check accompanies bid:

Enclosed, herewith, find Cashier's or Certified Check for \$ _____

being _____ % of the maximum bid herein, made payable to:

THE CITY OF PORT WAYNE, INDIANA

the proceeds, of which, are to remain the absolute property of said City, if

BIDDER

shall not within _____ days after Notice of Acceptance of the within bid, enter into a written contract, and secure said contract by a bond, for the full amount of the contract to the approval of the proper officials of said City.

NOTE 2:

Use this form, if Bidder's Bond accompanies bids.

Enclosed herewith, find a Bidder's Bond in an amount equal to ten (10%) per cent of maximum bid herein, subject to the approval of the Board of Public Works and Safety, conditioned as follows:

That if the Board of Public Works and Safety shall award

WALLACE & TIERNAN DIV. PENN WALT CORP

the contract for said work, and if WALLACE & TIERNAN DIV.

PENN WALT CORP.

shall enter into a contract and furnish a 100% Performance Bond as required within ten (10) days from the date, he/she/it is notified of the acceptance of his/her/its bid, then the obligation of said bond shall be null and void, otherwise, to remain in full force and effect.

TITLE OF ORDINANCE Contract 85-W-5, Cathodic Protection System - Maplecrest Road Elevated Tank

DEPARTMENT REQUESTING ORDINANCE Board of Public Works & Safety *86-04-06*

SYNOPSIS OF ORDINANCE Contract 85-W-5, Cathodic Protection System - Maplecrest Road

Elevated Tank is for the restoring of painting system and life of tank.

Wallace and Tiernan Division, Pennwalt Corporation is the contractor.

EFFECT OF PASSAGE Restoration of above tank.

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$7,641.00

ASSIGNED TO COMMITTEE _____

BILL NO. S-86-04-06

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~) RESOLUTION approving Contract

85-W-5, Cathodic Protection System - Maplecrest Road Elevated Tank,

by the City of Fort Wayne, Indiana, by and through its Board of Public

Works and Safety and the Wallace & Tiernan Division, Pennwalt

Corporation

HAVE HAD SAID (ORDINANCE) (~~XXXXXXXXXX~~) UNDER CONSIDERATION AND BEG

LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)
~~XXXXXXXXXX~~

YES

NO

Paul M. Burns
PAUL M. BURNS
CHAIRMAN

Thomas C. Henry
THOMAS C. HENRY
VICE CHAIRMAN

Ben A. Eisbart
BEN A. EISBART

James S. Stier
JAMES S. STIER

Mark E. GiaQuinta
MARK E. GiaQUINTA

CONCURRED IN 4-22-86

SANDRA E. KENNEDY
CITY CLERK